

of Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2021, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), and the Senator from Georgia (Mr. ISAKSON).

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 60, nays 36, as follows:

[Rollcall Vote No. 117 Ex.]

#### YEAS—60

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Bennet	Grassley	Portman
Blunt	Hassan	Risch
Boozman	Hatch	Roberts
Burr	Heitkamp	Rounds
Capito	Hoeben	Rubio
Carper	Inhofe	Sasse
Cassidy	Johnson	Scott
Cochran	Kennedy	Shaheen
Collins	King	Shelby
Corker	Lankford	Strange
Cornyn	Lee	Sullivan
Cotton	Manchin	Tester
Crapo	McCain	Thune
Cruz	McCaskill	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Warner
Ernst	Murkowski	Wicker
Fischer	Nelson	Young

#### NAYS—36

Baldwin	Franken	Murray
Blumenthal	Gillibrand	Peters
Booker	Harris	Reed
Brown	Heinrich	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Casey	Klobuchar	Stabenow
Coons	Leahy	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	Menendez	Warren
Duckworth	Merkley	Whitehouse
Feinstein	Murphy	Wyden

#### NOT VOTING—4

Durbin	Heller
Flake	Isakson

The PRESIDING OFFICER (Mr. HOEVEN). On this vote, the yeas are 60, the nays are 36.

The motion is agreed to.

The assistant majority leader.

### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. DURBIN. Mr. President, I was necessarily absent for the vote on the motion to invoke cloture on the nomination of Jay Clayton to be a Member of the Securities and Exchange Commission, Executive Calendar No. 36.

On vote No. 117, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 36.●

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

Hon. BOB CORKER,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-07, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Kenya for defense articles and services estimated to cost \$253 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,  
*Vice Admiral, USN, Director.*

Enclosures:

#### TRANSMITTAL NO. 17-07

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kenya.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$0 million.  
Other \$253 million.  
Total \$253 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.  
Non-MDE:  
Twelve (12) MD 530F Weaponized Aircraft.  
Twenty-four (24) Heavy Machine Gun Pod (HMP) 400 Systems.  
Twenty-four (24) M260 Rocket Launchers.  
Four thousand and thirty-two (4,032) M151 Rockets.

One thousand five hundred and thirty-six (1,536) 2.75-inch M274 Smoke signature Warhead Rockets.

Four hundred thousand (400,000) rounds of .50 Caliber Ammunition.

Also included is communications and navigation equipment, contractor logistics support, training, U.S. Government technical assistance, airframe and weapon system spare parts support, Contractor Field Service Representative (CFSR) support, and Special Airlift Assignment Mission (SAAM) flight delivery support.

(iv) Military Department: Army (UDQ).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: May 1, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Kenya—MD 530 Aircraft

The Government of Kenya has requested a possible sale of twelve (12) MD 530F weaponized aircraft to include twenty-four (24) Heavy Machine Gun Pod (HMP) 400 systems; twenty-four (24) M260 rocket launchers; four thousand and thirty-two (4,032) M151 rockets; one thousand five hundred and thirty-six (1,536) 2.75-inch M274 smoke signature warhead rockets; and four hundred thousand (400,000) rounds of .50 caliber ammunition. Also included are communications and navigation equipment, contractor logistics support, training, U.S. Government technical assistance, airframe and weapon system spare parts support, Contractor Field Service Representative (CFSR) support, and Special Assigned Airlift Mission (SAAM) flight delivery support. The total estimated cost is \$253 million.

This proposed sale contributes to the foreign policy and national security of the United States by improving the security of a strong regional partner who is a regional security leader, undertaking critical operations against al-Shabaab, and a troop contributor to the African Union Mission in Somalia (AMISOM).

The proposed sale of the MD 530F helicopters, weapons, ammunition, support items and technical support will advance Kenya's efforts to conduct scout and attack rotary wing aircraft operations in support of their AMISOM mission. The MD 530F will also replace Kenya's aging MD500 fleet, which is the current reconnaissance platform supporting Kenyan ground forces. This sale will significantly enhance the Kenyan Army's modernization efforts and increase interoperability with the U.S. Armed Forces and other partners in the region. Additionally, a strong national defense and dedicated military force will assist Kenya in its efforts to maintain stability in East Africa.

Kenya will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be MD Helicopters, Mesa, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of approximately twelve (12) additional contractor representatives in country for a period of 12 months.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.